

**MINUTES OF THE COURT OF APPEAL  
SECOND APPELLATE DISTRICT  
STATE OF CALIFORNIA**

**October 23, 2000**

DIVISION TWO

B121436 People  
v.  
Yusef Abraham

Filed order recalling remittitur, vacating opinion and resubmitting.

B121436 People (Not for Publication)  
v.  
Yusef Abraham

The judgment is modified to reflect a parole revocation fine pursuant to Penal Code section 1202.45 which is suspended unless appellant's parole is revoked. The abstract of judgment is to be amended to reflect a restitution fine of \$1,000 pursuant to Penal Code section 1202.4 and a parole revocation fine of \$1,000 pursuant to Penal Code section 1202.45. In all other respects, the judgment is affirmed.

Boren, P.J.

We concur: Nott, J.  
Cooper, J.

## DIVISION THREE

B133806      Jong Ho Kim, etc.  
v.  
Los Angeles County Metropolitan Transportation Authority, et al.

Filed order modifying opinion. (No change in the judgment)

DIVISION FOUR

[illegible]

The judgment is affirmed.

Epstein, Acting P.J.

We concur: Hastings, J.  
Curry, J.

B136417 People (Not for Publication)  
v.  
Jesus S.

The order of wardship is affirmed.

Curry, J.

We concur: Epstein, Acting P.J.  
Hastings, J.

DIVISION FIVE

[illegible]

The judgment is affirmed.

Grignon, J.

We concur:   Turner, P.J.  
                   Godoy Perez, J.

## DIVISION FIVE (Continued)

[illegible]

The judgment is affirmed.

Grignon, J.

We concur:   Turner, P.J.  
                    Godoy Perez, J.

B136595      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Veronica D.

The order is affirmed.

Grignon, J.

We concur: Turner, P.J.  
Godoy Perez, J.

DIVISION SIX

B140932      People                    (Not for Publication)  
v.  
Shellorne

The judgment is affirmed.

Perren, J.

We concur: Yegan, Acting P.J.  
Coffee, J.

## DIVISION SIX (Continued)

B134371 People (Not for Publication)  
v.  
Strohman

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.  
Coffee, J.

B135860 People (Not for Publication)  
v.  
Gordon

Appellant's conviction for commercial burglary is affirmed and this case is remanded with instructions to resentence appellant. The trial court shall determine whether a concurrent or consecutive sentence should be imposed for the probation violation. (See, e.g., *People v. Rosbury* (1997) 15 Cal.4th 206, 211 [§ 667, subds. (c)(7) and (c)(8) do not require consecutive sentencing for a probation violation].) If a consecutive sentence is imposed, it shall be limited to one-third the mid-term of two years, or eight months. (§ 11770.1, subd. (a).) The court shall also determine whether to impose or strike the prior prison term enhancements.

Coffee, J.

We concur: Gilbert, P.J.  
Perren, J.

B135257 People (Not for Publication)  
v.  
Rivera

The judgment is affirmed.

Perren, J.

We concur:   Gilbert, P.J.  
                      Coffee, J.

## DIVISION SIX (Continued)

B130504      Sierra Club      (Not for Publication)

V.

Santa Barbara Superior Court  
(Kendall-Jackson Winery, Ltd., r.p.i.)

We uphold the order dismissing Sierra Club's writ petition. We direct the clerk to issue a writ of mandate directing the trial court to vacate and set aside the order awarding private attorney general fees to Kendall-Jackson. The trial court shall then dismiss the entire action as moot. (See *Paul v. Milk Depots, Inc.* (1964) 62 Cal.2d 129, 134-135; *San Bernardino Valley Audubon Society v. Metropolitan Water Dist.* (1999) 71 Cal.App.4th 382, 404.) The parties are to bear their own costs.

Perren, J.

We concur: Gilbert, P.J.  
Coffee, J.

B130269 Sandoval (Not for Publication)

V.

# Dodge

The judgment is reversed and the matter is remanded to the trial court for reapportionment of the \$250,000 settlement proceeds in conformance with this opinion. Each party is to bear its own costs.

Coffee, J.

We concur: Gilbert, P.J.  
Yegan, J.